

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL SACK,

Plaintiff,

v.

CITY OF ST. LOUIS *et al.*,

Defendants.

)
)
)
)
)
)
)
)
)
)

Case No. 4:23-cv-952

JURY TRIAL DEMANDED

**DEFENDANTS' CONSENT MOTION FOR EXTENSION OF
TIME TO FILE REPLY IN SUPPORT OF MOTION TO DISMISS**

COMES NOW Defendants City of St. Louis ("City") (also pleaded as Tishaura Jones in her official capacity), Tishaura Jones, and Dan Isom (collectively "Defendants") by and through their attorney Sheena Hamilton, City Counselor for the City of St. Louis, pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), and, with Plaintiff's consent, move for an extension of time of 10 days, up to and including November 30, 2023, within which to their reply in support of their motion to dismiss. In support, Defendants state as follows:

1. Plaintiff's Complaint, containing four counts and naming three defendants, was filed on July 31, 2023. (Doc. 1).
2. Plaintiff filed his 26-page Response in Opposition to Defendants' Motion to Dismiss on Friday November 10, 2023 – a federal holiday.
3. Defendants Reply is due November 20, 2023.
4. In the time since Plaintiff's Response was filed, counsel for Defendants' time has been consumed by multiple intervening professional obligations, including aiding City litigators to prepare for multiple upcoming jury trials, handling multiple

personnel matters in his capacity Deputy City Counselor over the City's Litigation Division, and, most notably, unexpectedly working long hours this past week to aid City litigators and personnel to gather voluminous records for production in another case on a short timeline.

5. As a result of the foregoing, Defendants require additional time to draft their reply in support of their motion to dismiss and respectfully request that the Court grant an extension of time of 10 days, up to and including November 30, 2023, within which to file their reply.

6. Plaintiff consents to the relief requested in this motion.

7. The granting of this motion will not substantially delay the progression of this case or prejudice Plaintiff.

8. This motion is made in good faith and not for the purpose of undue delay.

WHEREFORE, Defendants respectfully request that this honorable Court grant Defendants an extension of time up to and including November 30, 2023, within which to file their reply in support of their motion to dismiss.

Respectfully submitted,

SHEENA HAMILTON
CITY COUNSELOR

By: /s/ Andrew D. Wheaton
Andrew D. Wheaton #65269MO
Deputy City Counselor
City Hall, Room 314
St. Louis, MO 63103
314.622.4594
wheatona@stlouis-mo.gov

CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2023, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system on all counsel of record.

/s/ Andrew D. Wheaton